

OFFICIAL BREACH TIES UP HALL INDICTMENTS

Police and Legal Authorities Hold Opposing Views on Rector's Murder.

MOTT WEAVES CASE

State Troopers Confident Data Are Now Fit to Be Given to Grand Jurors.

TAXPAYERS MUST SETTLE

Somerset County Must Expend Considerable Sum for Manifold Inquiries.

Special Dispatch to THE NEW YORK HERALD. NEW BRUNSWICK, N. J., Nov. 9.—There appeared to-night to be a serious difference of opinion as to the state of the investigation into the Hall-Mills murder mystery between the police investigators and those in whose hands the legal phases of the case naturally fall.

This difference and the apparent reluctance of the members of the Somerset Grand Jury—rural persons mostly—to indict without a certainty of conviction has resulted in a delay. Indictments are not to be looked for within a week.

Meanwhile, however, Wilbur A. Mott, Prosecutor, of Newark, and his chief assistant, James F. Mason, also of Newark, will continue their inquiry and build up the case so that, if ever it does reach the trial state, it will be as strong as they can make it. The taxpayers of Somerset county, in which the crime was committed, will pay all bills, including those for fees for Mr. Mott and Mr. Mason. The case will cost the Somerset county farmer a substantial sum before it is concluded.

Mott went to Somerville to-day and talked with the foreman of the Grand Jury, Azariah Beekman, Prosecutor, and others. Then he said the case would not go to the Grand Jury this week and departed for Trenton later, arriving at home in Newark. He refused to talk about the case.

Police Divided in Views.

Mason has said that the case is ready for presentation to the Grand Jury. The State troopers, who have been working diligently with him, are of the same opinion. They feel that the case is strong enough for trial.

Mr. Mott and Mr. Beekman, on the other hand, are aware that there is many a slip between an indictment and a conviction. If this case can be copper-

riveted they will not hesitate to go on using rivers if they have to work till Christmas. Mott and Beekman are friends. They call each other Wilbur and Azariah. Thus it is that at about 12:15 P. M. to-day Wilbur reached much the same conclusions that Azariah reached three weeks ago.

Beekman is popular in his county. The residents there, including the members of the Grand Jury, would be reluctant to return an indictment on evidence that Beekman did not think worth putting before any Grand Jury. This refers specifically to the tale of Mrs. Jane Gibson, the farmer woman, who said she saw Hall and Mrs. Mills murdered. Knowing what Azariah thought about Mrs. Gibson, the Grand Jury men and women, including Gibb, the foreman, will have to be shown by Mr. Mott.

At present Mr. Mott has an ace high hand. Mrs. Gibson is the ace. He has not, in actual fact, brought one new witness into the case, as far as he knows, since Beekman quarreled with Prosecutor Stricker of Middlesex county and gave up in despair. If Mott cannot substantiate Mrs. Gibson before the Grand Jury he has not a chance in the world. He knows it. His corroborative evidence is the flimsiest imaginable. He may call the Grand Jury for Tuesday and he may let the case hang fire for days and weeks.

There actually is a difference of opinion in the police group itself on evidence. Killed Hall and Mrs. Mills. This emphasizes the weakness of the case Mott inherited and has not materially strengthened. One or two officials hold that a certain resident of New Brunswick committed the crime, while another group is strongly of the opinion that another individual, who does not live here, but whose Christian name is the same as that of the New Brunswick resident, is the man. In the case of the latter individual there is a strong alibi to be broken down. In the case of the former, motive and much necessary circumstantial evidence is utterly lacking. Special Prosecutor Mott and Prosecutor Beekman conferred with Supreme Court Justice Bergen at the State capital to-day. Neither would talk to reporters. They hurried to the depot and boarded a north bound train.

Conference Lasts Hour.

Mason was here to-day and worked on the case for some hours with the State troopers. He appeared more surprised than any one else that the Grand Jury was not to be called this week. He had not seen Mott for two days, but went to Newark to-night, after getting a telephone message, and presumably saw his superior there.

The report of the finger print expert, Schwartz, has not come to hand, but is expected to-morrow. It is by no means certain that it will show that the finger prints on the cuffs of the shirt Hall wore can be identified. But if they can the evidence may be of the greatest importance in determining which of the two men with the same Christian name was responsible for the murder. On the other hand the cuffs may only have shown the prints of a woman's fingers.

The conference between Mott, Alfred Gibb, foreman of the Somerset County Grand Jury, and Prosecutor Beekman took place in Somerville and lasted a little more than an hour. Charles Parker, Supreme Court Justice, did not attend. The announcement was made that he was in New Orleans on a vacation. He is expected back after November 19.

Mott left Somerville shortly after 12 noon without divulging his destination. When asked about the possibility of the Grand Jury considering the case this week he said: "I should say they wouldn't." Asked about its considering the case next week he answered, "Well, next week, some time off."

With this he left Somerville, appearing later in Trenton and later still in Newark. At the conference besides Mott and Beekman were Col. Schwartzkopf,

head of the State troopers, Gibb and Detective Tatten. During the conference Dr. William H. Long, who performed the first examination of the bodies, was called in for a short time, but refused to say later what his mission had been. It was indicated clearly by several of those at the meeting that the Grand Jury would not be called upon to consider the case for some time.

New Rumor Current.

Beekman has consistently contended that there is not sufficient evidence to obtain a conviction, and until that was to be had he had no intention of going to the Grand Jury. Just before election it was suggested to him by several politicians that he bring the matter up at the psychological moment, but he persistently refused, saying that as far as he could determine no new evidence had been unearthed since he was superseded by Mott, and that on the strength of the evidence he had before that time he would not attempt to go to trial with the case. He admits that an indictment might readily be obtained, but does not believe that this evidence at hand at present would assure him a conviction.

Frank L. Cleary, County Judge of Somerville, who swore in the Grand Jury, is about to go on a vacation. He will go away next Tuesday to West Virginia on a shooting trip, and will be away more than a week. Indictments may be handed up to Judge Bergen. Cleary will leave with the court clerk a certificate which will enable Justice Thompson to act for him in his absence. While there are no signs of any reason for pessimism as to the final result of Mott's endeavors, he is known to be a man who proceeds at this stage of a case with the utmost care and deliberation. It is possible that he merely is making absolutely sure of every move he is to make, knowing all the time that the sentiment in the Grand Jury room will probably be against him at the outset. If he should get the Grand Jury together he will have a strong case. It is possible he will ask that a call be sent out for next Tuesday.

A report has been current to-day to the effect that Mrs. Mills was offered the income of \$50,000 if she would give up her claim to the estate of her husband, Jimmie Mills, and her daughter Charlotte. The story is said to come from one of Mrs. Mills's sisters. Mason said to-day that he had not heard it. Charlotte and her father denied the story. Jimmie Mills treated it as a great joke, saying that if he ever had that much money he would take an extended trip to Europe. Other members of the Mills family said the story was without truth. They had no idea of the source from which it came.

MIDDIES NEAR DEATH AS SUB CHASER BURNS

20 Almost Trapped Fighting Blaze in Chesapeake Bay.

ANNAPOLIS, Nov. 9.—Twenty midshipmen from the Naval Academy narrowly escaped death this afternoon when in a heroic battle against fire they fought their way up Chesapeake Bay on a burning submarine chaser. Crews landed the shore and watched the race until the vessel was beached at the naval experimental station.

The midshipmen started out early in the afternoon for a seamanship drill. The bay was rough. Two miles off shore the engine backfired. The forward part of the vessel was soon aflame. The midshipmen took their stations at the hose lines and formed bucket brigades as the flames spread.

The sub-chaser's prow was turned toward the shore. Heroically the midshipmen fought every foot of the way. On the wharves at Annapolis crowds gathered, attracted by the smoke. Light craft set out from the academy and nearby points to offer assistance. The boat was burned beyond repair.

INFANT IN SOMERSET CASE HALTS CARLTON

Begs Ellis Island to Drop Deportation Case of English Actor.

WANTS TWO TO WED

Theatrical Producer Fails to Soften Immigration Authorities.

LAID CRIME TO ACTOR

Asserts Charges Were Made Before He Knew They Had Child.

Carl E. Carlton, theatrical producer and husband of Edith Day, starring in "Orange Blossoms" at the Fulton Theater, yesterday sent a letter to immigration authorities on Ellis Island asking the dropping of the deportation proceedings against Pat Somerset, English actor playing with Miss Day. The request was denied.

The letter was written November 7, the day after Carlton had appeared at Ellis Island at a hearing granted Somerset, and had given the authorities documentary evidence against the actor which the producer spent much time and money collecting in this country and overseas. Court records and other sworn testimony showing Somerset had committed "a crime involving moral turpitude" in his relations with Miss Day, were spread out before the officials.

In the letter delivered yesterday to Immigration Commissioner Robert E. Tod by a personal representative of Carlton, the producer said he had thought deeply since the proceedings of the day before and wanted permis-

Wealth Per Capita Jumps 40 Cents During October

WASHINGTON, Nov. 9.—Individual wealth throughout the nation increased 40 cents during October, a statement to-day by the Treasury noted. On November 1 the per capita circulation of money was 41.44 compared with 41.04 on October 1.

On November 1 there was \$4,570,380,827 in circulation among an estimate of 110,392,000 persons, as compared with \$4,529,895,228 in circulation on October 1, when the estimated population was 110,155,000.

sion to withdraw from the case and to ask a withdrawal of any action against Somerset.

"I feel that regardless of what my personal feelings may be and the wrong that have been done," Carlton said, "there is another life—their child's—at stake. Inasmuch as the parents intend to marry as soon as the law allows, I think I should do my part in simplifying matters for that child. I repeat, I am requesting this after the most deliberate and careful thought."

Commissioner Tod referred the letter to Assistant Commissioner Harry R. Landis, head of the Division of Exclusions and Expulsions. Mr. Landis told the representative of the producer:

"You may tell Mr. Carlton that the Federal authorities have little to do with the caprices of the 'persons involved' in this case, and the deportation proceeding which have been started against Pat Somerset will be carried to a prompt and certain finish. And if the Immigration service requires testimony from Mr. Carlton he will be brought to Ellis Island regardless of his change of attitude."

While Mr. Carlton was waiting for the reply he called several newspaper men to his office and explained his reasons for writing the letter. Laying a shoaf of papers upon his desk he said he based his request for a dismissal of the charges against Somerset on the legal information he had just received from England that the actor and Miss Day have a child. The producer said he had had intimation of this previously, but had received court records with proof only a few days ago.

"The child must be given the first consideration," Carlton said. "I sincerely hope the authorities will drop the case. That will let Miss Day and Somerset finish their engagement in 'Orange Blossoms,' and let me get my divorce. Then they can marry."

Carlton was asked what his attitude would be toward Miss Day in regard to business relations. He replied that he never would engage her for any of his plays, although he considered her a great artist. He said he hopes that what has occurred will not hurt her career.

PEASANT FEAR RISES FOR RURAL SCHOOLS

Dr. Butterfield Warns New Class May Develop From Social Contrast.

TEACHERS CONFER HERE

Agricultural President Demands City Chances for Country Children.

The Country Life Association, which plans to throw the little red school house into the discard and put rural education on a higher plane, opened its fifth annual conference at Teachers College, Columbia University, last night. James E. Russell, dean of Teachers College, welcomed delegates from all parts of the world in Earl Hall.

Dr. Kenyon L. Butterfield of the Massachusetts Agricultural College, president of the association, said: "Educationally, both the child of Fifth avenue and the son of Podunk must receive his chance or else we must surrender the very ideal of democracy. The American people glory in the belief that our country has tried to give all her sons and daughters an even chance with one another. We have tried, but we have not succeeded."

"Any fair comparison from a national point of view of our urban with our rural school system as a whole must convince us that we have seriously discriminated against the country boy and girl."

Dr. Butterfield warned of the danger of developing a peasant class in the United States on account of the increasing social contrast between city and country. "So far has rural segregation hardened into a social habit," he said, "that in most parts of the world the peasant farmer is the dominant type of country man. He lives in a world of ideas, habits, contacts, quite his own. In the United States and Canada the fluidity of the population movements has prevented thus far the formation of a peasant class."

Dr. Butterfield declared that the problem of rural education is one of first magnitude, involving one-half of the people of the United States as a social group and one-third of the industrial workers of the nation. It is too big to be treated as incidental, he thought, but should be a theme for the study of statesmen.

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